UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,475	12/14/2001	Barbir Abdulkader	08888511US	1022

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EXAMINER
AVERY, JEREMIAH L

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/014,475	ABDULKADER, BARBIR
	Examiner	Art Unit	
	Jeremiah Avery	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12/147/01</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-13</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-13</u> is/are rejected.

7)☒ Claim(s) <u>4, 5 and 8</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>14 December 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>113005</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-13 have been examined.

Claim Objections

1.   Claims 4 and 5 are objected to because of the following informalities: missing

punctuation. At the end of the each of the respective claims, a period (.) is missing.

Appropriate correction is required.

2.   Claim 8 is objected to because of the following informalities: readability issue.

The phrase "said included said states" hinders the readability of this claim. The

examiner respectfully suggests the removal of one of the instances of "said" in this claim

for better clarity and readability.   Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

4.   Claim 3 recites the limitation "said second one-way hash function" in line 5 of

said claim (line 18 on page). There is insufficient antecedent basis for this limitation in

the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 5,953,419 to Lohstroh et al., hereinafter Lohstroh.

5.   Regarding claim 1, Lohstroh discloses a packet transmission system comprising:

a transmitting device for incorporating a sequence field containing a pseudo-random

value in data packets (Figure 7, column 5, lines 8-12 and 33-35, column 10, lines 32-36,

column 14, lines 61-67, column 15, lines 1-11, column 20, lines 37-67, column 25, lines

41-67, column 26, lines 27-34 and 49-67 and column 27, lines 1-4 and 57-65);

a receiving device for checking said pseudo-random value in said sequence field of said

data packets, thereby permitting said receiving device to determine whether said data

was sent by said transmitting device and whether the correct sequence of said data

packets was maintained (column 11, lines 28-44, column 14, lines 61-67, column 15,

lines 1-11, column 20, lines 37-67, column 25, lines 41-67, column 26, lines 27-34 and

49-67 and column 27, lines 1-4 and 57-65).

6.   Regarding claim 2, Lohstroh discloses in which said transmitting device further

comprises:

a transform function operating on said data using states (column 2, lines 39-44 and 63-

65 and column 22, lines 36-44);

means to include said states of said transform function as said pseudo-random value in

the said sequence field of said packet to be transmitted over said transmission medium

(column 11, lines 28-44 and column 15, lines 8-11).

7.   Regarding claim 3, Lohstroh discloses in which said receiving device further

comprises: a second transform function using states (column 5, lines 13-23 and 28-31,

column 6, lines 41-49, column 9, lines 6 and 7, lines 33-36, column 17, lines 10-25 and

37-44 and column 27, lines 15-19);

means to compare said states of said transform function contained in said sequence

field of said packet received over said transmission medium with result of said second

one-way hash function when used to encode said states of said second transform

function, thereby permitting said receiving device to be assured that said packet was

sent by said transmitting device (column 12, lines 50-65, column 15, lines 47-59,

column 17, lines 64-67, column 18, lines 1-4 and 59-67 and column 19, lines 1-3).

8.   Regarding claim 4, Lohstroh discloses in which said transmitting device further

includes a one-way hash function to encode said states of said transform function

(column 18, lines 59-67 and column 19, lines 1-3).

9.   Regarding claim 5, Lohstroh discloses in which said receiving device further

includes a second one-way hash function to encode said states of said second

transform function (column 18, lines 59-67 and column 19, lines 1-3, "reapplying").

10.   Regarding claim 6, Lohstroh discloses wherein said transform function and said

second transform function are identical, thereby ensuring simpler matching of said

states (column 5, lines 13-23 and 28-31, column 6, lines 41-49, column 9, lines 6 and 7, lines 33-36, column 17, lines 10-25 and 37-44 and column 27, lines 15-19).

11.   Regarding claim 7, Lohstroh discloses wherein said one-way hash function and said second one-way hash function are identical, thereby ensuring simpler matching of said states (column 18, lines 59-67 and column 19, lines 1-3, "reapplying").

12.   Regarding claim 8, Lohstroh discloses wherein the length of said included said states is varied to match the system needs, thereby allowing some savings in message overhead where said length is less than that assigned in existing protocols (column 11, lines 1-33, column 15, lines 26-31, column 16, lines 26-40 and column 17, lines 27-33).

13.   Regarding claim 9, Lohstroh discloses wherein said transform and said second transform are any algorithm using states in their implementation (column 2, lines 39-44, column 7, lines 10-15 and 21-30, column 8, lines 56-67 and column 9, lines 1-7).

14.   Regarding claim 10, Lohstroh discloses wherein said transform and said second transform are encryption algorithms (column 7, lines 10-15 and 21-30, column 8, lines 56-67 and column 9, lines 1-7).

15.   Regarding claim 11, Lohstroh discloses wherein said transform and said second transform are compression algorithms (column 16, lines 42-52).

16.   Regarding claim 12, Lohstroh discloses wherein said state values are used to confirm synchronisation of encryption keys (Figure 1B, column 2, lines 63-65, column 4, lines 43-46, column 6, lines 33-49 and column 19, lines 36-42).

17.   Regarding claim 13, Lohstroh discloses wherein said state values are further used to confirm other aspects of the operation of said encryption algorithms (column 6, lines 41-49, column 8, lines 56-67 and column 9, lines 1-7).

Conclusion

18.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

19.   The following United States Patent is cited to further show the state of the art with respect to communication security:

United States Patent No. 6,236,981 to Hill which is cited to show creating secure online transactions.

20.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremiah Avery whose telephone number is (571) 272-8627. The examiner can normally be reached on Monday thru Friday 8:30am-5pm.

21.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

22.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JLA

Primary Examiner
AU 2131
12/8/05